

Request to Amend HB 140 1/27/2015

Amend Title MCA 87-1-323 Viable elk, deer and antelope populations based on habitat

New Section: Section 87-323 Viable elk, deer and antelope populations based on habitat acreage

Following MCA 87-1-323(2)(a) liberlized harvests

Insert:and establish early and/or late hunting seasons for antlerless animals on on all public and private lands per district;

Following(3)(a) population and number by

Strike "January 1, 2009"

Insert" June 30, 2020 or submit an action plan to the 2021 legislature that outlines the steps FWP will take to manage to objective elk, deer and antelope in each hunting district that exceeds management objective as of December 2020."

This clarification in the law is required because FWP has not managed deer, elk and antelope to management objective as required by MCA 87-1-323 and FWP has discontinued the early and late hunts on public and private land in districts where one or more of these species exceeds management objective.

Alternate Amendment

Following NEW SECTION. Section 2.(1) ...each license year.

Strike: in its entirety (2) Resident base hunting licenses may be purchased in 87-1-265 through 87-1-267.

This amendment is needed because FWP has ignored MCA 87-1-323 that provided FWP to establish new programs or hunts to help them meanage deer, elk and antelope to management objective by 2009. FWP has discontinued the early and late hunts that they had for over 40 years on public and private lands in districts where populations were above management objective.

Meat hunters in Montana have lost access to private lands throughout the state as a result of this policy. Until FWP reestablishes these opportunities for Montana resident hunters the Montana resident hunters SHOULD NOT be assessed for an additional hunting license requirement.

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Helena, Mt 59601
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protection of property and public resources, the use of personal watercraft is prohibited on the headwaters of the Missouri River downstream to its confluence with Prewett Creek, except in Missouri River reservoirs, and including all tributaries but not their reservoirs.
(2) The waters from Hauser dam downstream to Beaver Creek are limited to a controlled no-wake speed.
(3) This section does not apply to the use of the designated waters for search and rescue, official patrol, or scientific purposes.
(4) This section may not be construed to limit the authority of the commission or department to enact by administrative rule or to enforce any other restrictions on any surface waters in the interests of public health, safety, or welfare, the protection of property or public resources, or the resolution of conflicts between users of motorized and nonmotorized boats.
History: En. Sec. 4, Ch. 569, L. 1999.

87-1-307 through 87-1-320 reserved.

87-1-321. Purpose. The purpose of 87-1-321 through 87-1-325 is to require the commission, with advice of the department, to manage elk, deer, and antelope populations in a sustainable manner that keeps animal populations at a number that does not adversely affect Montana land.
History: En. Sec. 1, Ch. 553, L. 2003.

87-1-322. Calculation of available habitat. When determining the total acreage that serves as habitat for elk, deer, and antelope, the commission shall consider public land and private land for wildlife management or habitat enhancement purposes. This calculation must be reconsidered and provided to the public by October 1 of each odd-numbered year.
History: En. Sec. 2, Ch. 553, L. 2003.

87-1-323. Viable elk, deer, and antelope populations based on habitat acreage — reduction of populations as necessary. (1) Based on the habitat acreage that is determined pursuant to 87-1-322, the commission shall determine the appropriate elk, deer, and antelope numbers that can be viably sustained. The department shall consider the specific concerns of private landowners when determining sustainable numbers pursuant to this section.

(2) Once the sustainable population numbers are determined as provided in subsection (1), the department shall implement, through existing wildlife management programs, necessary actions with the objective that the population of elk, deer, and antelope remains at or below the sustainable population. The programs may include but are not limited to:

- (a) liberalized harvests;
 - (b) game damage hunts;
 - (c) landowner permits; or
 - (d) animal relocation.
- (3) The department shall:

2011 Montana Fish, Wildlife, and Parks Statutes

Amended
X

Mountain Lion 24-hr
harvest Reporting
Mountain Lion Quota
4 hours/day - 7 days
Fish, Wildlife
220 East 6th Ave
Helena, MT 59602
Montana Department of
Fish, Wildlife & Parks
P.O. Box 201360
Helena, MT 59620-1360
406-444-2000
www.mt.gov

Amended
X

FISH AND WILDLIFE

87-1-324

(a) manage with the objective that populations of elk, deer, and antelope are at or below the sustainable population number by January 1, 2009; and
(b) evaluate the elk, deer, and antelope populations on an annual basis and provide that information to the public.
History: En. Sec. 3, Ch. 553, L. 2003.

87-1-324. Sustainable elk, deer, and antelope populations program — funding. The department shall use money from the fish and game fund, as described in 87-1-601(3), to implement 87-1-321 through 87-1-325.
History: En. Sec. 4, Ch. 553, L. 2003.

87-1-325. Rulemaking. (1) The department and the commission shall adjust existing wildlife management rules and plans to implement 87-1-321 through 87-1-325.
(2) The department and the commission may adopt rules for determining sustainability. The commission shall consider average carrying capacity and use generally accepted animal unit factors for each species in each commission region.

(3) Any rules adopted by the department pursuant to subsection (2) must be adopted in a timely manner.
History: En. Sec. 5, Ch. 553, L. 2003.

Part 4
Director of Fish, Wildlife, and Parks

87-1-401. Director to carry out policies. The director shall carry out the policies of the